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Attorneys for Plaintiff
United States of America

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL TRINIDAD YANEZ,

Defendant.

Case No: 1:23-CR-00152-JCC-BAM

STIPULATION TO CONTINUE TRIAL DATE;
ORDER

THE PARTIES HEREBY STIPULATE, through their respective attorneys of record, Assistant United States Attorney Brittany M. Gunter, counsel for the government, and Ernest Scott Kinney, counsel for Michael Trinidad Yanez (“the defendant”), that this action’s **trial date be continued from March 25, 2025, to June 23, 2025**. The parties likewise ask the Court to endorse this stipulation by way of formal order.

The parties base this stipulation on good cause. Specifically,

1. By previous order, this matter was set for trial on March 25, 2025. ECF 45.
2. On February 25, 2025, the Court informed the parties that the assigned judge would only be available to hear one trial the week of March 25, 2025, and would be proceeding with trial on a different case that week.

3. The parties conferred regarding scheduling and the availability of anticipated witnesses. The parties are available for trial on June 23, 2025, and have cleared this week with witnesses.
4. The parties confirmed with the Court that the Honorable John Coughenour is available for a trial the week of June 23, 2025, as well. Defense counsel is not amenable to having a different judge assigned to this case.
5. Further, the government has provided defense counsel with over 3,500 pages of discovery, which includes several hours of bodycam footage and recorded interviews, medical records, and other law enforcement reports.
6. The government has notified the defense of its intent to call two experts at trial. The defense is currently consulting with an expert to determine whether expert testimony is needed for the defense case.
7. In addition to the need to continue the trial based on the Court's schedule as indicated above, defense counsel needs additional time to prepare for trial, conduct additional investigation, and consider expert testimony for the trial. Defense counsel agrees that failure to grant the above-requested continuance would deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence.
8. Accordingly, based on the foregoing, the parties request that the trial be continued from March 25, 2025, to June 23, 2025.
9. The parties further stipulate that the period of time from March 25, 2025, to June 23, 2025, is excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv) because it results from a continuance granted by the Court at the parties' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best

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interest of the public and the defendant in a speedy trial.

IT IS SO STIPULATED.

Dated: February 26, 2025

MICHELE BECKWITH
Acting United States Attorney

By: /s/ BRITTANY M. GUNTER
BRITTANY M. GUNTER
Assistant United States Attorney

Dated: February 25, 2025

By: /s/ ERNEST SCOTT KINNEY
ERNEST SCOTT KINNEY
Counsel for Defendant

ORDER

IT IS ORDERED that the trial date currently set for March 25, 2025, is CONTINUED to **June 23, 2025 at 8:30 A.M. in Courtroom 5 before the District Court Judge John C. Coughenour.**

IT IS FURTHER ORDERED THAT the period of time from March 25, 2025, through June 23, 2025, is excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv) because it results from a continuance granted by the Court at the parties' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

DATED this 26th day of February 2025.



John C. Coughenour
UNITED STATES DISTRICT JUDGE